

02/26/02

A
Attorney Docket No. CUB-1 CON



Applicant(s) : Frederick B. Oleson et al.

For : METHODS FOR ADMINISTRATION OF ANTIBIOTICS

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EL 889410434 US

Date of Deposit February 20, 2002

JC979 U.S. PTO
10/082544
02/20/02

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to the Hon. Commissioner for Patents, P.O. Box 2327, Arlington, Virginia 22202.

Hon. Commissioner
for Patents
Washington, D.C. 20231

Frederick S. Sander

TRANSMITTAL LETTER FOR RULE 53(b)
CONTINUING PATENT APPLICATION

Sir:

This is a request for filing a continuation, divisional, application of pending prior Application No. 09/406,568, (Confirmation No.1755), filed September 25, 1999.

Transmitted herewith for filing are the specification; claims; abstract; declaration and power of attorney; preliminary amendment; for the above-identified patent application.

The enclosed declaration is:

- Newly executed (original or copy).
- Copy from a prior application (37 C.F.R. § 1.63(d)).
- A signed statement is attached deleting inventors named in the prior application (37 C.F.R. §§ 1.63(d)(2) and 1.33(b)).
- The entire disclosure of the prior application, from which a copy of the declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

The prior application, Application No. 09/406,568, filed September 25, 1999, is assigned of record to Cubist Pharmaceuticals, Incorporated.

Also transmitted herewith are:

3 sheets of:

- Formal drawings.
- Informal drawings. Formal drawings will be filed during the pendency of this application.

An assignment of the invention to Cubist Pharmaceuticals, Incorporated.

A check in the amount of \$40.00 to cover the recording fee.

Please charge \$40.00 to Deposit Account No. 06-1075 in payment of the recording fee. A duplicate copy of this transmittal letter is transmitted herewith.

An associate power of attorney.

A certified copy of the priority document, _____ application, No. _____, filed _____.

The filing fee after preliminary amendment has been calculated as shown below:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE				\$ 740.00
TOTAL CLAIMS	22 - 20 = 2	x \$ 18	=	\$ 36.00
INDEPENDENT CLAIMS	2 - 3 = 0	x \$ 84	=	\$ 0.00
<input checked="" type="checkbox"/> A MULTIPLE DEPENDENT CLAIM		+ \$280	=	\$ 280.00
			TOTAL \$	<u>1056.00</u>

A check in the amount of \$ 1056.00 in payment of the filing fee is transmitted herewith.

The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Please charge \$ _____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

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